

AUS920030604US1

REMARKS**REJECTIONS UNDER 35 U.S.C. § 112 AND 35 U.S.C. § 103**

Claims 1-39 of the present application are rejected under 35 U.S.C. § 112 and 35 U.S.C. § 103. Examiner Paul Schlie engaged in a series of telephone conferences with Applicants' representatives John Biggers and Michael Gilfix on June 26-28, 2006, when the present amendments were discussed in detail and at which time it was agreed that the present amendments overcome the rejections under 35 USC § 112 and 35 USC § 103.

DOUBLE PATENTING REJECTIONS

Claims 1-39 stand provisionally rejected for non-statutory double patenting over copending claims of U.S. Patent Applications with Serial Numbers 10/728,168, 10/728,169 and 10/728,170. In response to the double patenting rejection in the Office Action dated April 6, 2006, Applicants herewith submit a Terminal Disclaimer in compliance with 37 C.F.R. § 1.321 for the present application. Applicants respectfully propose that the accompanying Terminal Disclaimer cures all rejections of claims 1-39 for nonstatutory double patenting in the present application.

CONCLUSION

Applicants respectfully submit that the present amendments and the terminal disclaimer timely filed place this case in condition for allowance. Applicants acknowledge with gratitude Examiner Paul Schlie's help with this case and look forward to an early notice of allowance.

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The Commissioner is hereby authorized to charge or credit Deposit Account No. 09-0447 for any fees required or overpaid.

Respectfully submitted,

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